

REMARKS

There are now pending in this application, claims 1, 3-5, 7, 10, 11, 13, 15, 17 and 20-23, of which claims 1, 5, 10, 11, 15 and 20 are independent. Claims 8, 14, and 18 have been canceled without prejudice to or waiver of their subject matter. Claims 21-23 are newly added.

In view of the above amendments and the following remarks, favorable reconsideration and allowance of the above application is respectfully sought.

Independent claim 1 has been further amended to recite that the finishing command setting means sets the finishing command on a print setting screen of the printer driver and that the layout setting means sets the print layout on that same print setting screen. In addition, Applicant has rewritten the characterizing clause to now positively recite intermediate data page editing means for making a layout print control of the intermediate data spooled by the spooling means based on the number counted by the counting means and based on the print layout set by the layout setting means, intermediate data output means for outputting the intermediate data whose layout print control is made by the intermediate data page editing means, discriminating means for discriminating, based on a counting by the counting means, whether the document data of one copy is printed onto one physical sheet or onto two or more physical sheets, when the automatic mode is set by the finishing command setting means, command changing means for changing the finishing command in response to a discrimination made by the discriminating means, and print data generating means for adding the finishing command changed by the command changing means to the intermediate data output by the intermediate data output means so as to generate print data.

Applicant's invention allows one to avoid having to install an automatic discriminating processor into the printer side. Such processors not only increase development costs and product costs, but also render it difficult to perform pre-paper feed. Thus, there is the risk of a reduction of printing throughput. (*See* page 5, line 26, through page 6, line 3.)

Independent claims 5 and 10 correspond to claim 1, but are directed to a method and a computer-readable recording medium, respectively.

Independent claims 11, 15 and 20 have been amended in a manner similar to claims 1, 5 and 10, respectively. Each of these claims positively recites or refers to a user interface menu screen, but otherwise incorporates all of the salient features discussed above with respect to independent claims 1, 5 and 10.

Independent claims 1, 5, and 10 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Stone et al. in view of Kondo et al and Konishi et al.. Independent claims 11, 15, and 20 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Stone et al. in view of Kondo et al., and further in view of Kremers et al. In view of the above amendments and the following remarks, those rejections are respectfully traversed.

Stone et al., Kremers et al. and Kondo et al. have been discussed at length in the prior response and that discussion is incorporated herein by reference. Applicant submits, for those and the following reasons, none of piece of prior art renders the claims of the above application unpatentable.

Applicant respectfully submits, moreover, that the combination of Stone et al. and Kondo et al. cannot achieve the invention as recited in the independent claims of the instant application. Kondo et al. shows determining the number of print sheets of an original document by means of

the document feeder. The number of print sheets required varies depending on the print mode, such as the N-up mode, and the shift function is turned on if the number of print sheets is more than two and turned off if the number of print sheets is only one. (*See* FIG. 11B.) Stone et al. teaches the use of a print spooler and of generating print data with N-up printing. Thus, the combination of Stone et al. and Kondo et al. would necessarily lead to a system in which the printer driver generates print data with N-up printing and in which the printer turns on or off the shift function. Consequently, this combination of references cannot teach or suggest discriminating means for discriminating, based on the counting by the counting means, whether the document data of one copy is printed onto one physical sheet or onto two or more physical sheets when the automatic mode is set by the finishing command setting means. More specifically, they cannot teach or suggest discriminating whether the document data of one copy is printed onto one physical or onto two or more physical sheets based on a number of pages of spooled intermediate data and the set print layout.

Moreover, Kondo et al. is not understood to recite a printer driver as now set forth in each of the claims of the instant application. More specifically, Kondo et al. fails to teach the print setting screen of the printer driver. (*See* FIG. 5 of the present invention.) Nor does Kondo et al. teach or suggest the combination of setting on the print setting menu screen of the printer driver, the finishing command, the print layout and the number of logical pages to be allocated to one physical sheet. Accordingly, any combination of Kondo et al. and Stone et al. cannot teach or suggest the claimed invention as now recited in each of independent claims 1, 5, 10, 11, 15 and 20.

Applicant respectfully submits that none of the secondary references of record meet the above-discussed shortcomings of Stone et al. and Kondo et al. Accordingly, neither Kremers nor Konishi et al., in combination with Stone et al. and Kondo et al., teach or suggest the invention as recited in each of the above independent claims.

Kremers was cited for disclosing a user interface in which a user activates a finishing command setting means to set a finishing command. However, Kremers is understood merely to disclose a display 124, which may be a keyboard having keys 126 and 128 thereon or a touchscreen. Kremers is not understood to teach or suggest or satisfy the above discussed shortcomings with respect to Stone et al. and Kondo et al.

The remaining claims in the above application are dependent claims which depend either directly or indirectly from one of the above-discussed independent claims and are, therefore, patentable over the art of record for the reasons noted above with respect to the independent claims. Each recites features of the invention still further distinguishing it from the applied art. Favorable and independent consideration thereof is respectfully sought.

Applicant respectfully submits that all outstanding matters in this application have been addressed and that the application is in condition for allowance. Should the Examiner in any way disagree, the Examiner is respectfully requested to telephone Applicant's undersigned representative to discuss the manner in which the claims distinguish over the applied art.

Applicant's undersigned attorney may be reached in our Washington, D.C. office by telephone at (202) 530-1010. All correspondence should continue to be directed to our below listed address.

Respectfully submitted,

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